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THIRD COMMITTEE
Agenda item 97 (a)

HUMAN RIGHTS QUESTIONS: IMPLEMENTATION OF HUMAN RIGHTS INSTRUMENTS

Australia, Austria, Belgium, Canada, Chile, Costa Rica, Denmark, Finland, France, Germany, Hungary, Iceland, Netherlands, New Zealand, Norway, Poland, Portugal, Spain and Sweden: draft resolution

Effective implementation of international instruments on human rights, including reporting obligations under international instruments on human rights

The General Assembly,

Recalling its resolution 46/111 of 17 December 1991, as well as its other relevant resolutions,

Reaffirming that the effective implementation of United Nations instruments on human rights is of major importance to the efforts of the Organization, pursuant to the Charter of the United Nations and the Universal Declaration of Human Rights, 1/ to promote universal respect for and observance of human rights and fundamental freedoms,

Reaffirming also its responsibility to ensure the proper functioning of treaty bodies established pursuant to instruments adopted by the General Assembly and, in this connection, further reaffirming the importance of:

(a) Ensuring the effective functioning of systems of periodic reporting by States parties to these instruments;

1/ Resolution 217 A (III).

(b) Securing sufficient financial resources to overcome existing difficulties with the effective functioning of treaty bodies;

(c) Addressing questions of both reporting obligations and financial implications whenever elaborating any further instruments on human rights,

Recalling the conclusions and recommendations of the second meeting of persons chairing the human rights treaty bodies, held at Geneva from 10 to 14 October 1988, 2/ and the endorsement of the recommendations aimed at streamlining, rationalizing and otherwise improving reporting procedures by the General Assembly in its resolution 46/111 and the Commission on Human Rights in its resolution 1992/15 of 21 February 1992, 3/

Taking particular note of the conclusions and recommendations of the third and fourth meetings of persons chairing the human rights treaty bodies, held at Geneva from 1 to 5 October 1990, 4/ and from 12 to 16 October 1992 respectively,

Expressing concern about the increasing backlog of reports on implementation by States parties to United Nations instruments on human rights and about delays in consideration of reports by the treaty bodies,

Taking note of the reports of the Secretary-General 5/ on progress achieved in enhancing the effective functioning of the treaty bodies,

Recalling the study 6/ on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, prepared by an independent expert, and aware of the need to update the study,

Welcoming the decision of the fourteenth meeting of the States parties to the International Convention on the Elimination of All Forms of Racial Discrimination to amend article 8, paragraph 6, of the Convention and to add a new article 8, paragraph 7, by which the members of the Committee established under the Convention shall henceforth receive emoluments from United Nations resources on such terms and conditions as the General Assembly may decide during its forty-seventh session,

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2/ See A/44/98, sect. VII.

3/ See Official Records of the Economic and Social Council, 1992, Supplement No. 2 (E/1992/22), chap. II, sect. A.

4/ See A/45/636, annex.

5/ A/44/539, A/46/503.

6/ See A/44/668, annex.

Welcoming also the decision of the Conference of the States parties to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment to delete paragraph 7 of article 17 and paragraph 5 of article 18, to add a new paragraph 4 of article 18, by which the members of the Committee established under the Convention shall receive emoluments from United Nations resources on such terms and conditions as the General Assembly shall decide, and to recommend that the General Assembly take action for the implementation of the proposed amendment at its forty-seventh session,

Welcoming the reports of the Secretary-General 7/ examining the financial, legal and other implications of providing full funding for the operation of all human rights treaty bodies,

1. Endorses the conclusions and recommendations of the meetings of persons chairing the human rights treaty bodies aimed at streamlining, rationalizing and otherwise improving reporting procedures, as well as the continuing efforts in this connection by the treaty bodies and the Secretary-General within their respective spheres of competence;

2. Expresses its satisfaction with the study by the independent expert on possible long-term approaches to enhancing the effective operation of existing and prospective bodies established under United Nations instruments on human rights, which contains several recommendations on reporting and monitoring procedures, servicing and financing of supervisory bodies and long-term approaches to human rights standard-setting and implementation mechanisms, and which was presented to the Commission on Human Rights for detailed consideration at its forty-sixth session, and, in the light of the conclusions and recommendations contained in the report of the fourth meeting of persons chairing the human rights treaty bodies, requests that the report of the independent expert be updated for submission to the fiftieth session of the Commission on Human Rights and that an interim report be presented to the General Assembly at its forty-eighth session, and be made available to the World Conference on Human Rights in June 1993;

3. Requests the Secretary-General to give high priority to establishing a computerized database to improve the efficiency and effectiveness of the functioning of the treaty bodies;

4. Again urges States parties to make every effort to meet their reporting obligations and to contribute, individually and through meetings of States parties, to identifying and implementing ways of further streamlining and improving reporting procedures as well as enhancing coordination and information flow between the treaty bodies and with relevant United Nations bodies, including specialized agencies;

7/ A/46/650, A/47/518.

5. Welcomes the emphasis placed by the meetings of persons chairing the human rights treaty bodies and by the Commission on Human Rights on the importance of technical assistance and advisory services and, further to this end:

(a) Endorses the request of the Commission that the Secretary-General report regularly to it on possible technical assistance projects identified by the treaty bodies;

(b) Invites the treaty bodies to give priority attention to identifying such possibilities in the regular course of their work of reviewing the periodic reports of States parties;

6. Endorses the recommendations of the meetings of persons chairing the human rights treaty bodies on the need to ensure financing and adequate staffing resources for the operations of the treaty bodies and, with this in mind:

(a) Reiterates its request that the Secretary-General provide adequate resources in regard to the various treaty bodies;

(b) Requests that the Secretary-General report on this question to the Commission on Human Rights at its forty-ninth session and to the General Assembly at its forty-eighth session;

7. Calls upon all States parties to fulfil without delay and in full their financial obligations under the relevant instruments on human rights, and requests the Secretary-General to consider ways and means of strengthening collection procedures and making them more effective;

8. Emphasizes that any administrative and budgetary measures shall be provided without prejudice to the duty of States parties under United Nations human rights instruments to meet all their current and outstanding financial obligations pursuant to such instruments;

9. Endorses the amendments to the International Convention on the Elimination of All Forms of Racial Discrimination 8/ and the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 9/ and requests the Secretary-General:

(a) To take the appropriate measures to provide for the financing of the committees established under those conventions from the regular budget of the United Nations, beginning with the budget for the biennium 1994-1995;

8/ Resolution 2106 A (XX), annex.

9/ Resolution 39/46, annex.

(b) To take the necessary measures to ensure that the two committees meet as scheduled until the amendments enter into force;

10. Requests the Secretary-General to take the appropriate steps in order to finance the biennial meetings of persons chairing the human rights treaty bodies from the resources available from the regular budget of the United Nations;

11. Also requests the Secretary-General, in the light of the views expressed at the forty-ninth session of the Commission on Human Rights and the thirty-seventh session of the Commission on the Status of Women, to submit to the General Assembly at its forty-eighth session a report examining the conclusions and recommendations of the October 1992 meeting of persons chairing the human rights treaty bodies;

12 Decides to give priority consideration at its forty-eighth session to the conclusions and recommendations of the meetings of persons chairing human rights treaty bodies, in the light of the deliberations of the Commission on Human Rights, under the item entitled "Human rights questions".